

GOODWIN PROCTER LLP  
Daniel M. Glosband  
Gina L. Martin  
53 State Street  
Boston, Massachusetts 02109  
Telephone: (617) 570-1000  
Facsimile: (617) 523-1231

Matthew L. Curro  
Christopher Newcomb  
620 Eighth Avenue  
New York, NY 10018  
Telephone: (212) 813-8800  
Facsimile: (212) 355-3333

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION  
CORPORATION,**

**Plaintiff,**

**vs.**

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC**

**Defendant.**

**In re:**

**MADOFF SECURITIES**

Case No. 12-MC-00115 (JSR)

Pertains to Cases:

11-cv-08741 (JSR)  
11-cv-08742 (JSR)  
11-cv-08743 (JSR)  
11-cv-08744 (JSR)  
11-cv-08745 (JSR)  
11-cv-08746 (JSR)

**DECLARATION OF DANIEL M. GLOSAND IN FURTHER SUPPORT OF  
MOVANTS' MOTIONS FOR MANDATORY WITHDRAWAL OF THE REFERENCE**

Daniel M. Glosband declares, pursuant to 28 U.S.C. § 1746:

1. I am a member of the bar of this Court and a partner at the law firm of Goodwin Procter LLP, counsel for the Movants<sup>1</sup> in the above-captioned actions.
2. I respectfully submit this declaration in support of Movants' Reply Memorandum of Law in Further Support of Their Respective Motions to Withdraw the Reference, and to place before the Court copies of the following documents.
3. Attached hereto as Exhibit A is a true and correct copy of the Trustee's Reply to Defendants' memorandum of Law Regarding Determination of "For Value" and Net Equity Ruling, dated November 4, 2011 (Dkt. No. 69), *Picard v. Katz (In re Bernard L. Madoff Investment Securities LLC)*, Case No. 11 Civ. 03605 (JSR).
4. Attached hereto as Exhibit B is a true and correct copy of the Reply Memorandum of Law Regarding Determination of "For Value" and Net Equity Decision, dated November 4, 2011 (Dkt. No. 70), *Picard v. Katz (In re Bernard L. Madoff Investment Securities LLC)*, Case No. 11 Civ. 03605 (JSR).
5. Attached hereto as Exhibit C is a true and correct copy of the hearing transcript for the oral argument conducted before the United States Court of Appeals for the Second Circuit on March 3, 2011, in the matter of *In re Bernard L. Madoff Investment Securities LLC*, Dkt. No. 10-2378.

---

<sup>1</sup> The "Movants" are (i) in respect of Case No. 11-cv-08741 (JSR), the Estate of Gilbert M. Kotzen, the Gilbert M. Kotzen 1982 Trust, Linda S. Paresky, in her capacity as personal representative of the Estate of Gilbert M. Kotzen and as Trustee for the Gilbert M. Kotzen 1982 Trust, Stepheny B. Riemer, in her capacity as personal representative of the Estate of Gilbert M. Kotzen and as Trustee for the Gilbert M. Kotzen 1982 Trust, (ii) in respect of Case No. 11-cv-08742 (JSR), Stanley J. Bernstein, (iii) in respect of Case No. 11-cv-08743 (JSR), Frank A. Petito, d/b/a The Petito Investment Group and Frank A. Petito, individually, (iv) in respect of Case No. 11-cv-08744 (JSR), I.I. Kotzen Company, (v) in respect of Case No. 11-cv-08745 (JSR), the Gilbert M. Kotzen 1982 Trust, the Marcia Kotzen 2002 Revocable Trust, Linda S. Paresky, individually and in her capacity as Trustee for the Gilbert M. Kotzen Trust and the Marcia Kotzen 2002 Revocable Trust, and Stepheny B. Riemer, individually and in her capacity as Trustee for the Gilbert M. Kotzen 1982 Trust and the Marcia Kotzen 2002 Revocable Trust, and (vi) in respect of Case No. 11-cv-08746 (JSR), Russell J. deLucia.

11. I declare under penalty of perjury that the foregoing is true and correct.

Executed: Boston, Massachusetts  
April 17, 2012

/s/ *Daniel M. Glosband*  
Daniel M. Glosband